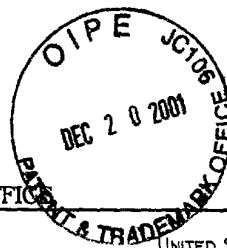




UNITED STATES PATENT AND TRADEMARK OFFICE



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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/873,319	06/05/2001	William E. Munger	044921-5029-US

CONFIRMATION NO. 4129

09629
MORGAN, LEWIS & BOCKIUS
1800 M STREET NW
WASHINGTON, DC 20036-5869

FORMALITIES LETTER



OC000000006324653

Date Mailed: 07/20/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

12/26/2001 TBESHAN1 00000037 500310 09873319

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

01 FC:101	740.00 CH
02 FC:103	1080.00 CH
03 FC:102	588.00 CH
04 FC:105	130.00 CH
05 FC:104	280.00 CH

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1910.
 - \$1080 for 60 total claims over 20.
 - \$560 for 7 independent claims over 3.
 - \$270 for multiple dependent claim surcharge.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2750.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of

the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

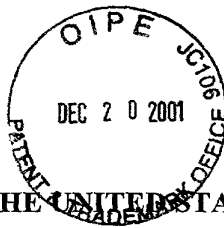


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

100221 6762260



Sect 101 1645
Bot-seq
#17

PATENT

ATTORNEY DOCKET NO.: 044921-5029-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: William MUNGER *et al.*

Application No.: 09/873,319

Filed: June 5, 2001

For: IDENTIFYING DRUGS FOR AND DIAGNOSIS
OF BENIGN PROSTATIC HYPERPLASIA
USING GENE EXPRESSION PROFILES

Group Art Unit: 1645

Examiner:

Commissioner for Patents

BOX MISSING PARTS

Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

1. This replies to the Notice to File Missing parts of Application (PTO-1533) mailed July 20, 2001. A copy of the Notice To File Missing Parts Of Nonprovisional Application is enclosed.
2. Declaration Or Oath

☒ [XX] No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney

☐ [] The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.

☐ [] The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.
3. English Translation of Non-English Language Papers

☐ [] Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

Also enclosed is the Verification of Translation Document

4. Small Entity Statement(s)

☐ Verified Statement(s) that this is a filing by a small entity

Applicants qualify as a small business concern as defined in 37 CFR 1.27

(a)(1) through (a)(3), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code.

5. Fee Calculation

Basic Fee: Patent Application-\$740.00 Design Application-\$330.00				\$740.00
	Number Filed	Number Extra	at a Rate of	
Total Claims	80 - 20 =	60	\$18.00 each=	+1,080.00
Independent Claims	10 - 3 =	7	\$84.00 each=	+588.00
Multiple dependent claim(s), if any			\$280.00	+280.00
Missing Parts Surcharge Fee			\$130.00	+130.00
SUB-TOTAL =				2,818.00
Reduction by 1/2 for filing by a small entity				- .00
SUB-TOTAL =				
TOTAL FILING FEE =				\$2,818.00